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HOUSE BILL 523

46TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2003

INTRODUCED BY

James Roger Madalena

AN ACT

RELATING TO STATE FUNDS; PERMITTING CERTAIN DEPOSITS OF STATE FUNDS BY THE OFFICE OF CULTURAL AFFAIRS; AMENDING SECTION 6-10-3 NMSA 1978 (BEING LAWS 1923, CHAPTER 76, SECTION 2, AS AMENDED).

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 6-10-3 NMSA 1978 (being Laws 1923, Chapter 76, Section 2, as amended) is amended to read:

"6-10-3. PAYMENT OF STATE MONEY INTO TREASURY--SUSPENSE FUNDS. -- [~~Thirty days from the taking effect of Chapter 6, Article 10 NMSA 1978~~] All public money in the custody or under the control of any state official or agency obtained or received by any official or agency from any source, except as in Section 6-10-54 NMSA 1978 provided, shall be paid into the state treasury. It is the duty of every official or person in

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1 charge of any state agency receiving any money in cash or by
2 check, draft or otherwise for or on behalf of the state or any
3 agency thereof from any source, except as in Section 6-10-54
4 NMSA 1978 provided, to forthwith and before the close of the
5 next succeeding business day after the receipt of the money to
6 deliver or remit it to the state treasurer. Provided, however,
7 that the money collected by the state park and recreation
8 division of the energy, minerals and natural resources
9 department and the state monuments of the museum division of
10 the office of cultural affairs shall be deposited into the
11 state treasury no later than ten days following collection.
12 Provided that county treasurers shall remit all money received
13 for taxes for state purposes or [~~which~~] that are by law
14 required to be remitted to the state treasurer on or before the
15 tenth day of the next succeeding month following the receipt or
16 collection thereof. Provided further that every official or
17 person in charge of any state agency receiving any money,
18 except as in Section 6-10-54 NMSA 1978 provided, in cash or by
19 check, draft or otherwise, on deposit, in escrow or in evidence
20 of good faith to secure the performance of any contract or
21 agreement with the state or with any department, institution or
22 agency of the state, which money has not yet been earned so as
23 to become the absolute property of the state, shall deliver or
24 remit to the state treasurer within the times and in the manner
25 in this section provided, which money shall be by the state

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1 treasurer deposited in a suspense account to the credit of the
2 proper official, person, board or bureau in charge of any state
3 agency so receiving the money; provided, however, that all
4 money held by the commissioner of public lands on deposit, in
5 escrow or in evidence of good faith to secure the performance
6 of any contract or agreement with the state shall be delivered
7 or remitted to the state treasurer within six months from the
8 date this act is approved and at those times, in the amounts
9 and from the various banks in which it is deposited as may be
10 directed by the state board of finance. "

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